

## UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America )

v. )

ELADIO WILFREDO CRUZ )

Case No: CR. 01-292-01USM No: 23970-050Date of Previous Judgment: 06/24/02 )

AFPD ESTHER SALAS \*

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

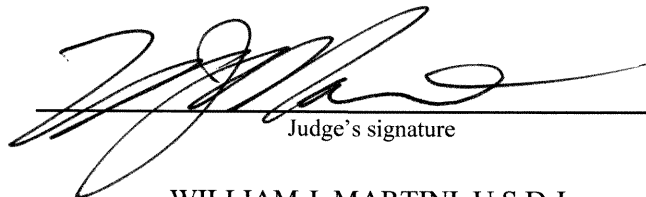
☒ Other (explain): Defendant is ineligible as a career offender

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 06/24/02 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 04/25/12

Effective Date: \_\_\_\_\_  
(if different from order date)



Judge's signature

WILLIAM J. MARTINI, U.S.D.J.

Printed name and title

\* ESTHER SALAS IS NOW A U.S. DISTRICT JUDGE IN THE DISTRICT OF NEW JERSEY